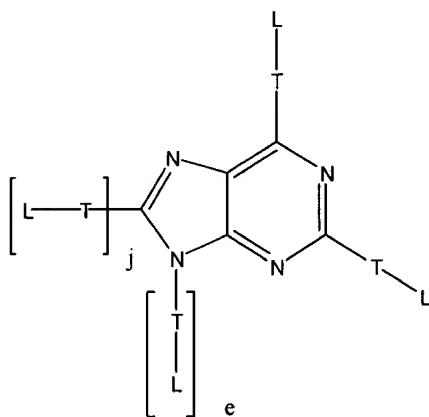
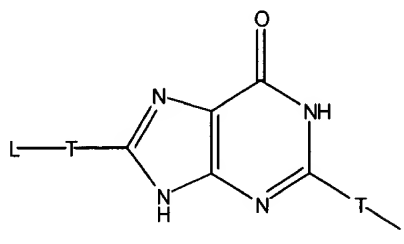


REMARKS/ARGUMENTS

The instant invention is directed to a novel mixture which comprises at least six chemical compounds represented by either structure II or III.



II



III

Such mixtures are well suited for a variety of uses including screening of pharmaceutical, industrial chemical, and pesticide compounds. Unlike typical combinatorial mixtures, the instant mixture can be formed in the solution phase.

Claims 2-5, 7 and 33 are pending. Claims 8-12 are canceled. Claim 5 is amended. The basis for the amendment can be found, for example, in Examples 4-94 on page 58, lines 13 to page 113, line 7.

Claims 5 and 7 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite. In particular, the office action alleges that the language "bears at least three functionalizable atoms" does further limit claim 33. While applicants do not agree with this assertion, the amendment to claim 5 is intended to clarify the claim. Claim 5 is directed to mixtures of the compound of structure II that bears at least three functionalizable atoms. In claim 33, structure two bears two to four functionalizable atoms. Thus, claim 5 does further limit claim 33.

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Claim 7 is alleged to be unpatentable for the same reasons discussed in the preceding paragraph concerning claim 5. Claim 7, however, does not contain the language "bears at least three functionalizable atoms." Applicants submit that this claim, which does further limit claim 33 with respect to the identity of the functionalizable atoms, is proper. Applicants request reconsideration and withdrawal of the rejections.

Claims 8 and 10-12 are canceled rendering the rejection of these claims moot.

Claims 2-5, 7-12, and 33 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious in view of J. Am. Chem. Soc 1961, 83, 1113-1117 (the Usbeck reference) in view of

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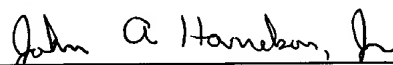
PATENT

bound to a solid support. Moreover, no overlap is observed between the compounds of the 972 application and those of the instant invention or the Usbeck reference. The Gordon reference does not disclose a pyrimidine scaffold. Due to the great differences between the teachings of the cited art and instant claims, Applicants assert that it is possible to arrive at any instantly claimed invention only by use of the Applicant's blueprint. Because such hindsight reconstruction is not a proper basis for rejection, Applicant respectfully requests reconsideration and withdrawal of the current rejection.

Applicants believe that the foregoing constitutes a complete and full response to the Office Action of record. Accordingly, an early and favorable reconsideration of the rejections and an allowance of all of pending claims is earnestly solicited.

Respectfully submitted,

Date: September 26, 2003



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